दौरान कतिपय केंद्रीय मंत्रियों द्वारा चुनावों के लिए निर्धारित आचार संहिता का उल्लंघन करने के संबंध में सरकार को सूचित किया है ;

(ख) यदि हां, तो उन मंत्रियों के नाम क्या हैं और उनके विरुद्ध कौन-कौन से आरोप लगाए गए हैं ; और

(ग) लगाए गए आरोपों की प्रामाणिकता के संबंध में सरकार की क्या प्रतिक्रिया है ?

विधि, न्याय और कंपनी कार्य मंत्रालय में राज्यमंत्री (श्री हंसराज भारद्वाज) : (क) और (ख) निर्वाचन आयोग ने 17 नवम्बर, 1994 को दो आदेश जारी किए जिनमें उसका यह निष्कर्ष था कि केन्द्रीय कल्याण मंत्री, श्री सीताराम केसरी और केन्द्रीय खाद्य मंत्री, श्री कल्पनाथ राय ने क्रमशः मुस्लिम और अन्य अल्पसंख्यकों के लिए शैक्षणिक संस्थाओं और रोजगारों के आरक्षण देने के लिए अपनी प्रतिबद्धता और कर्नाटक, आंध्र प्रदेश और तमिलनाडु राज्यों में चीनी की खुली बिक्री की आपूर्ति के अधिक आबंटन करने के बारे में वक्तव्य देकर आदर्श आचार संहिता का अतिक्रमण किया है।

(ग) सरकार के लिए आदर्श आचार संहिता के अतिक्रमण की शिकायतों पर किसी विधि के अधीन कोई कार्रवाई करना आवश्यक नहीं है।

Independent Judicial audit

2669. SHRI S. MADHAVAN : Will the PRIME MINISTER be pleased to state :

(a) whether Government propose to take initiative to introduce independent judicial audit to supervise the working of the courts and judges;

(b) whether the attention of Government was drawn to the instances of cases where the independence of the judiciary was grossly misused; and

(c) if so, what are the steps contemplated to reform the judicial system ?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. BHARDWAJ) : (a) At present there is no such proposal.

(b) and (c) No specific instance of misuse of the independence of the judiciary has been brought to the notice of the Government.

Pending cases on disputes between Government Departments

2670. SHRI S. MADHVAN : Will the PRIME MINISTER be pleased to state :

(a) whether Government's attention was drawn to the suggestions made by the Chief Justice of India to take action to settle the cases pending in the courts between Government Departments across the Table;

(b) if so, what action has been taken on those suggestions;

(c) how many cases are pending with the Customs, Excise and Gold Control Appellate Tribunal relating to disputes between the wings of Government;

(d) how many cases are pending with the Railway Claims Tribunal;

(e) how many cases are pending with the Central Administrative Tribunal; and

(f) what are the steps taken to dispose of these pending cases ?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS : (SHRI H. R. BHARDWAJ) : (a) The Chief Justice of India, in a working Group meeting of Law Ministers' held at New Delhi on 5-11-1994 suggested that some system must be evolved to see that the disputes between Government and public sector undertakings or one public sector undertaking and another public sector undertaking do not go to Courts or Tribunals and even that which has somehow percolated to the Courts or the Tribunals, should be settled by and between the parties amicably.

(b) In pursuance of the direction of the Supreme Court in a case between M/s. ONGC and the Collector of Central Excise, Bombay, a Committee of Secretaries has already been set up in December, 1991 with a view to ensure that no litigation reaches the Court or a Tribunal without the matter having been first examined by the Committee.

(c) The information is being collected and will be laid on the Table of the House.

(d) As on 31-10-94, about 72,987 cases were pending with the Railway Claims Tribunal.

(e) As on 30th September, 1994, about 39,785 cases were pending with the Central Administrative Tribunal.

(f) In order to consider the problem of arrears of cases in Courts and find out ways and means to deal with it as expeditiously as possible, a meeting of the Chief Ministers and Chief Justices was held on 4-12-1993 under the Chairmanship of the Prime Minister. The Conference adopted a resolution in which it recommended several steps for speedy disposal of cases in Courts/Tribunals, which have been accepted by the Government and commended to all State Governments/UT Administrations and High Courts/Tribunals for necessary action. Three Working Groups of Law Ministers, thereafter, met to consider further the recommendations contained in the above Resolution with regard to rural litigation, arrears of cases in administrative tribunals and alternative dispute resolution. The implementation of December, 1993 resolution and recommendations made by the Working Groups were reviewed by the Law Ministers at their plenary meeting held in Calcutta in November, 1994. A copy of the Resolution adopted at the meeting was placed on the Table of this House in reply to USQ 405 dated 8-12-94.

Transfer of judges to Madras High Court

2671. SHRI S. MADHVAN : Will the PRIME MINISTER be pleased to state :

(a) Whether Government are aware of the views expressed by the Madras Bar Association requesting the Chief Justice of India not to host any more Judges who do not know Tamil language to the Madras High Court;

(b) whether the Madras High Court face difficulties in translating documents and evidence which are now written in Tamil, the State's official language; and

(c) what are the steps taken to resolve this problem ?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. BHARDWAJ) : (a) to (c) Transfers of Judges from one High Court to another have been made in terms of Article 222(1) of the Constitution on recommendations of the Chief Justice of India, in pursuance of the Government's policy to have one-third Judges in each High Court from outside. The Government of India have received a copy of the Resolution passed by the Madras Bar Association requesting the Chief Justice of India not to post any more Judges who do not know Tamil to the Madras High Court. However, no such request has been received from the Chief Justice of Madras High Court.

Sale of the Holdings of BBTCL

2672. SHRI DILIP SINGH JUDEV : Will the PRIME MINISTER be pleased to state :

(a) whether Government are aware of the sale of the holdings of Bombay Burmah Trading Corporation Limited (BBTCL) by the group controlled by Shri Nusli Wadia; and

(b) if so, the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. BHARDWAJ) : (a) No, Sir. According to papers filed with the Registrar of Companies, Bombay, the share-holding of the Wadia Group in this company has increased since the last Annual General Meeting held on 26th July, 1994.

(b) Does not arise.

Indian Companies selling preference and equity shares to foreign Countries

2673. SHRI S. S. AHLUWALIA : Will the PRIME MINISTER be pleased to state :

(a) whether it is a fact that complaints have been received, particularly during the last two years, about sale and transfer of preference and equity shares of renowned Indian companies to purchasers in foreign countries at unrealistic lower rates and often in non-trans parent manner;